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Attorneys for Movant
RICHARD FRENKEL

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

ILLINOIS COMPUTER RESEARCH, LLC,
Plaintiff and Counterclaim Defendant,

vs.

FISH & RICHARDSON P.C.,
Defendant, Counterclaimant and Third
Party Plaintiff,

vs.

SCOTT C. HARRIS,
Third-Party Defendant and
Counterclaimant

vs.

FISH & RICHARDSON P.C.,
Defendant, Counterclaimant, Third
Party Plaintiff and Counterclaim
Defendant

Miscellaneous Action No.
CV 5:08-mc-80075-JF (HRL)

**RICHARD FRENKEL'S NOTICE
OF WITHDRAWAL OF ALL
PENDING MOTIONS**

**DATE: MAY 13, 2008
TIME: 10:00 A.M.
COURTROOM 2**

Hon. Magistrate Judge Howard Lloyd

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 On May 5, 2008, Illinois Computer Research LLC and Scott C. Harris (collectively
3 "Issuers"), by and through counsel, withdrew the subpoena they issued to Richard Frenkel
4 ("Frenkel") "in light of Mr. Frenkel's April 19, 2008 Declaration in which he swore under
5 oath that he had no communications with anybody at Fish & Richardson concerning the
6 underlying litigation and the related parties." Letter from Paul K. Vickery to Howard
7 Holderness, Charles L. Babcock, and George L. McWilliams (May 5, 2008), attached as
8 Exhibit A to Howard Holderness's Declaration.
9

10 Because Issuers have withdrawn their subpoena, Frenkel hereby withdraws all
11 motions pending before the Court. Specifically, Frenkel withdraws his Motion to Quash and
12 For Protective Order (docket no. 4), which is set for oral hearing on May 13, 2008, his
13 Notice of Intent to Use Evidence From Related Case, or in the Alternative, Motion for Leave
14 to Submit Declaration of Richard Frenkel Filed on April 21, 2008 in N.D. Cal. Case No.
15 5:08-MC-80074-JF-HRL (Docket No. 16) (docket no. 22), and his Motion for Leave to
16 Submit Supplemental Declarations in Support of Motion to Quash Subpoena and For
17 Protective Order (docket no. 31).
18

19 Dated: May 7, 2008

MORGAN, LEWIS & BOCKIUS LLP

20 By /s/ Howard Holderness
21 Howard Holderness

22 Attorneys for Movant
23 RICHARD FRENKEL

24 Dated: May 7, 2008

JACKSON WALKER L.L.P.

25 By /s/ Charles L. Babcock
26 Charles L. Babcock

27 Attorneys for Movant
28 RICHARD FRENKEL

1
2 Dated: May 7, 2008

LAW OFFICE OF GEORGE L. MCWILLIAMS,
P.C.

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4 By /s/ George L. McWilliams
George L. McWilliams

5
6 Attorneys for Movant
RICHARD FRENKEL